

REMARKS/ARGUMENTS

Pending Claims

Claims 1-5 are pending in this application. Claims 1-4 have been amended. No new matter has been added.

Claim Rejections under 35 U.S.C. §112

Claims 1-3 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claim Rejections under 35 U.S.C. §102

Claims 1-5 have been rejected under 35 U.S.C. §102(b) as being anticipated by Ohishi et al., U.S. Patent No. 6,752,960, Matsubara et al., U.S. Patent No. 6,319,718 and also Babson et al., U.S. Patent No. 5,885,530.

Claims 1-5 have been rejected under 35 U.S.C. §102(e) as being anticipated by Kodama et al., U.S. Patent No. 6,599,749 and also Matsubara et al., U.S. Patent No. 6,752,960.

Applicants request reconsideration of the rejections for the following reasons.

The invention is directed to an automatic analyzer (Fig. 1) having a conveying unit (102) for conveying a sample, at least one analysis unit (103) for analyzing the sample conveyed by the conveying line, and a central control device (106) for controlling the

conveying line and the analysis unit, wherein the central control device functions to separate the analysis unit from an information network of the central control device to shut off a power supply of the analysis unit. Page 7, lines 15-19 of the specification set forth that the analysis unit that has been set to the power-off enable mode keeps on being software-wise separated from the information network of the entire analyzer system until the mode is switched from the power-off enable mode to the active mode. Accordingly, support for the amendment made to claim 1 finds support in the specification.

With respect to claim 2, support for the amendment is provided on page 8, lines 2-7 of the specification which sets forth that when the analysis unit that has been set to the power-off enable mode and is in a powered-off state, is again powered on, system software is loaded into the above-described analyzer unit and the analyzer unit again returns into an operable state. Accordingly, the amendments to claim 2 are supported by the specification.

Claims 3-5 have been amended to set forth display means and specifying means for displaying and specifying the conveying line and the analysis unit, which is supported by the mode setting display of Fig. 3 described on page 7, lines 9-14 of the specification, for example.

As amended, claims 1-5 are patentable over the art of record, and in particular over any of Ohishi, Matsubara, Babson, Kodama and Matsubara. None of the references discloses an automatic analyzer having a central control device that functions to separate an analysis unit from an information network of the central control device to shut off a power supply of the analysis unit in combination with a conveying unit and an analysis unit, as claimed by Applicants. The claimed function of the central control device was not considered by the

Examiner as a result of the 35 U.S.C. § 112, second paragraph rejection of the claims, according to the Office Action. Accordingly, the claimed automatic analyzer combination of the amended claims is different from the disclosed automatic analyzers of the applied references. Therefore, reconsideration of the rejections under 35 U.S.C. § 102 is respectfully requested.

Double Patenting Rejections

Claims 1-5 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-2 of U.S. Patent No. 6,752,960 and claims 3-5 of U.S. Patent No. 6,599,749.

Claims 1-5 have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 of copending Application No. 11/390,104.

Applicants request reconsideration of the Double patenting Rejections. The claimed automatic analyzer of the present invention which has a conveying unit, an analysis unit and a central control device that functions to separate an analysis unit from an information network of the central control device to shut off a power supply of the analysis unit and is not obvious in view of the inventions claimed in U.S. Patent Nos. 6,752,960, 6,599,749 and Application No. 11/390,104.

Serial No. 10/603,625
Amendment dated December 1, 2006
Response to Office Action mailed September 1, 2006

Docket No. KAS-183

Information Disclosure Statement

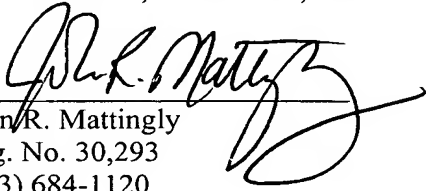
Two Japanese abstracts (10-339732 and 09-072911) have been submitted in an Information Disclosure Statement for the Examiner's consideration. JP-A 10-339732 shows an automatic analyzer wherein the start and stop operation for each analysis unit can be designated by using the operation of the key on the operating part. In JP-A 09-72911, a user interface is provided for observing and designating the condition of each portion of the chemical analysis apparatus. Applicants request that the PTO-1449 Form be initialed and returned by the Examiner as an indication that these documents have been properly considered.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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